

¹Since the filing of the report and recommendation, Magistrate Judge Mannion has been elevated to a United States District Judge for the Middle District of Pennsylvania.

consequences of the alleged act(s) become painful. *Delaware State College v. Rick*, 449 U.S. 250, 258 (1980), *see also Marcum v. Harris*, 328 Fed. Appx. 792, 2009 U.S. App. LEXIS 7283.

Barlow's claims are untimely. An appropriate order will be issued.

s/Sylvia H. Rambo
United States District Judge

Dated: February 8, 2013.

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